

## SPITZER TO ATLANTA, 2 YEARS

TRUST DESERTED AND SACRIFICED ME, HE SAYS.

Oliver Spitzer, who was dock superintendent of the sugar trust in the Havemeyer & Elder refinery and who was convicted last December of complicity in the sugar weighing frauds, was sentenced yesterday by Judge Martin in the United States Circuit Court to serve two years in the Federal prison at Atlanta, Ga. He was started for Atlanta at once, but not until he had given out this statement in United States Marshal Henkel's office:

"My hurried departure for Atlanta to-day was made at my own behest. I did not want to take any chances—though I consider such chances remote—of finding myself in the position Mr. Morse was placed in. You will remember that right after sentence was pronounced on Morse his counsel got various stays at various times. In the end, however, the courts upheld his sentence and he was obliged to go to prison. The stays secured for Morse kept him in the Tombs here something like a year and a half, and when finally he had to go to jail, he found that he had practically lost the time because under the law the time spent in the Tombs could not be deducted from his sentence. I myself having been responsible for the delay in the carrying out of the sentence.

"As I stand upon the prison threshold to-day I find myself absolutely deserted by the sugar trust. They deserted me when I was arrested and they desert me now. And after having served the trust faithfully for twenty-nine years, it was in 1880 that I first went to work for the trust as a boy and finally I rose to the position of dock superintendent. Reports have fixed my salary at ridiculously high figures, when, as a matter of fact, I actually received but \$35 a week.

"Of course my counsel will fight this case to the last ditch, carrying it to the Supreme Court if necessary. I contend that the verdict against me is a regular and contrary to the evidence. I never was directly connected with any wrongdoing, or even indirectly, for that matter. As for the steel springs and holes alleged to have been found in the scales, I never knew anything of them.

"The truth of this whole matter is that the Government cried for a victim and the trust sacrificed me and the four poor \$15 a week checkers who are now serving a year on Blackwell's Island."

Appeals in the cases of the checkers are now pending and an appeal will at once be taken on the case of Spitzer. As soon as sentence had been pronounced on Spitzer Judge Martin opened court for the trial of Charles R. Heike, Secretary of the American Sugar Company of New Jersey and secretary and treasurer of the New York company. Heike was indicted on charges of defrauding the Government out of customs duties on sugar and of making checks for the short payments. His trial on the conspiracy charge is complicated by the plea of his counsel, John Stanchfield, that Heike was innocent of the conspiracy because he had given before the Federal Grand Jury the evidence upon which he was indicted.

The plea of immunity was made originally before Judge Martin when Heike was indicted last month. At that time Mr. Stanchfield pointed out that Heike had appeared before the Federal Grand Jury which indicted the directors of the sugar company in the Pennsylvania sugar refinery case and again when the investigation was undertaken by the Grand Jury in December and January, and at those times had given evidence and produced books of his company which formed the basis for the present indictment. At that time the Government conceded that the fact was one for a jury to pass upon. The situation as presented in Mr. Stanchfield's contention is a novel one, and there but one case remembered, which resembled it. That was the case in the proceedings about the beef trust because of a conversation between one of the indicted men and Mr. Garfield, the President, which was not admitted before the jury had heard the case.

Henry L. Stimson, the special prosecutor, and before the jurors had finally accepted Mr. Stimson's plea, with his two assistants, Wilfred T. Denison and Felix Frankfurter, appeared for the Government, told the jurors that Heike had been indicted by the Federal Grand Jury on any issue charged against him in the indictment. The inquiry at which Heike testified was a preliminary investigation conducted by the United States District Attorney, with which Heike, Stimson, had no connection. The investigation had to do with an inquiry as to whether the sugar trust was conspiring to defraud the Government. When Mr. Stimson had finished Mr. Stanchfield asked for permission to proceed on the assumption that his client was charged with felony rather than a misdemeanor, and to challenge accordingly. The Court refused to sustain Mr. Stanchfield, who then asked to have the jury instructed that Heike was innocent of the conspiracy because he had given before the Federal Grand Jury and identified the subpoenaed records upon him. All this was admitted by Mr. Stimson, and Mr. Stanchfield remarked:

"I will be found that there is no dispute in regard to the facts and the case will resolve itself into a plain question of law." Mr. Heike went on to tell the records of the sugar trust which he had produced to the jury and of his examination by United States District Attorney Wise in regard to the organization and holdings of the American Sugar Company. He was questioned by the Grand Jury about the production of sugar by the company, and he supplied figures showing what each company of the trust could produce and what sugar earnings he had made.

These records were shown to the jury by Mr. Stanchfield and were marked exhibits. Mr. Stanchfield expects that he will be able to show that it was largely from these records of raw sugar that the Government agents were able to figure out a discrepancy between the amount of sugar imported and that upon which duty was paid and so to bring about the indictment of Heike.

Practically all the evidence introduced at yesterday's hearing was admitted without comment by the prosecution, and at the close of the day Mr. Stanchfield was more than ever convinced that there would be no objection to the facts. In the event of this being true, Mr. Stanchfield will move that the Court decide on the questions of law without submitting the case to the jury. If the decision should be favorable to Heike he would go free, while if the decision should be adverse he would be released on bail pending a long period of appeal. The day's hearing closed with Mr. Heike still on the stand. It will be resumed this morning, and it is likely that the trial will proceed on Lincoln's Birthday, as Judge Martin is anxious to hurry the trial. In dismissing the jury for the day Judge Martin warned them against discussing the case and ordered them to report to him any one who persisted in questioning them about it.

## OPEN TO-MORROW

By special request our Exhibition of

## Early English Masters

Will be open to the public to-morrow, Saturday, from 10 to 3 P. M.

## EHRICH GALLERIES

Fifth Avenue and 40th Street.

to figure out a discrepancy between the amount of sugar imported and that upon which duty was paid and so to bring about the indictment of Heike.

## BIG COURT HOUSE THIS TIME.

All the North Side of City Hall Park—Courts May Sit in Armories.

After a public hearing yesterday on the bill passed by the Legislature authorizing the city to occupy as much space in the City Hall Park as is requisite to put up a building of sufficient size to accommodate the Supreme Court Mayor Gaynor let it be known that he will sign the bill. Morgan J. O'Brien, Edward M. Groot and J. Laflin Kellogg, the members of the City Hall Commission, as well as several judges of the Supreme Court, spoke in favor of the bill, while the only objection was voiced by Albert E. Henschel, who urged that the park space should not be further encroached upon.

If Mayor Gaynor's views are carried out the building will be extended along the north side of the park from Broadway to Centre street. The Mayor thinks that the building of this size is needed, and he hopes that work on the new building will be begun next summer and completed in eighteen months.

Once the plans have been agreed upon by the Court House Commission and approved by the Municipal Art Commission, the Board of Estimate, the Mayor says, will appropriate the money for the building as fast as it can be spent.

The Mayor said yesterday when he was asked what provision would be made for the Supreme Court while the new building is being constructed, that he thought that the emergency might best be met by using the armories.

## BLOCKING WATERSHED AWARDS.

Justice Tompkins Sets Aside Another Report of Commissioners.

WHITE PLAINS, Feb. 10.—Supreme Court Justice Tompkins to-day set aside a fourth report of commissioners on watershed awards because they had allowed an acre on parcel 5, section 1 of the Hill View reservoir proceedings by lots instead of by the acreage. If the decisions are upheld they will mean a big saving to the city of New York.

Judge Tompkins in his decision in reference to parcel 5 says:

"I can find no evidence that justified the commissioners in finding that the property at the time the city required was marketable as lot property. While the claimants had a right to show that the property might be subdivided and in time become valuable as lot property, yet it was not marketable at the time it was taken by the city that the claimant was entitled to be awarded and not what it may be worth at some time in the future."

Justice Tompkins sets forth that the photographs of the property were all covered with trees, brush and boulders.

## Little Ticket Speculators and Big.

The Aldermen's committee on laws and legislation gave a hearing yesterday on the ordinance introduced by Downing, the Tammany leader of the board, imposing upon ticket speculators a license fee of \$500 and a \$2,000 bond. The fight, as it is annually, is between the big men in the business who want a high license fee to freeze out the smaller men and the smaller men who do not want it.

The small speculators have many friends among the Tammany Aldermen and the Downing ordinance is not likely to pass.

## \$1,122,000 for Three New Schools.

Comptroller Prendergast will ask the Board of Estimate to-day to appropriate \$1,122,000 for three new school buildings in Brooklyn and one in Manhattan. He will point out that while about 20 per cent of the scholars in the city are on part time, and that a new school building is being erected and no contracts for construction have been awarded since July, 1908.

## The Weather.

Feb. 11.—In the Mississippi Valley and over all the country eastward except the Middle West, the weather was generally fair, with snow showers in the Northwest. Snow was quite general but light in the lake regions and it was below zero in the upper Mississippi Valley and in parts of the Dakotas.

The disturbance evident in this section on the 10th, was a cold wave from the north, the morning and was followed by a high pressure which covered all the interior of the country. It fell in Oregon and there were a few scattered snow flurries in the Northwest. Snow was quite general but light in the lake regions and it was below zero in the upper Mississippi Valley and in parts of the Dakotas.

Lowest temperature, 27°, at 9 P. M.

## WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW.

For eastern New York, eastern Pennsylvania and New Jersey, fair to-day; snow to-morrow; moderate northerly winds, becoming easterly.

For New England, fair to-day; increasing cloudiness to-morrow, followed by snow; moderate northerly winds, shifting to easterly.

For the District of Columbia, Maryland and Delaware, fair to-day; increasing cloudiness to-morrow; moderate northerly winds, shifting to easterly.

For western Pennsylvania, increasing cloudiness to-day, followed by rain or sleet; snow to-morrow; moderate variable winds, becoming easterly.

## MAYOR ACCUSES 2 POLICEMEN

OF ASSAULTING A WOMAN IN A BARBER SHOP.

Orders Bakers to Suspend and Try Suspects and Says Ruffians on the Police Force Must Be Got Rid Of—Wah and Gray Must Do Some Explaining.

After receiving the report of Commissioner of Accounts Fosdick, whom he had ordered to investigate a report that a woman had been mistreated by two policemen in an East Thirty-fourth street barber shop, Mayor Gaynor wrote yesterday to Police Commissioner Baker ordering the suspension and speedy trial of the men under suspicion. He also ordered Inspector Walsh and Capt. Cary of the East Thirty-fifth street station to appear before him this morning at 9:30 o'clock.

The letter to Commissioner Baker follows:

"I learned several days ago of an alleged abuse of a woman by policemen in the rear room of the barber shop at 401 East Thirty-fourth street on January 27 last. I have caused a careful investigation of the matter to be made and find that the charge is true in respect of Officer Harry G. Weitzel of the Traffic Squad and also of a patrolman who is probably John W. Grove. Weitzel openly took the woman from the street to the room and plied her with whiskey and assaulted her. The other officer came in and assaulted her after Weitzel went out. I am informed that two other officers of the neighborhood were informed by citizens of what was occurring, but finding on their arrival that the culprits were two policemen they did nothing. Let Weitzel and Grove be suspended and tried forthwith. We must get rid of all ruffians on the police force. Also please ascertain and report to me who the other two policemen were. Let the captain of that precinct and also the inspector of that district come before me for a hearing. The whole disgraceful affair occurred so openly and is so notorious in the neighborhood that it is incredible that the captain and inspector should have learned of it in the exercise of ordinary attention. It was certainly easier for them than for you and me to learn of it. I enclose the report of Mr. Fosdick on the case. The testimony taken in the trial is so full of vulgar and shocking to be made public."

The report made by Mr. Fosdick to the Mayor was accompanied by a number of notes of the investigation. The report reads in part:

"On January 27, 1910, at about ten minutes before 1 o'clock in the afternoon, Officer Harry G. Weitzel of the Traffic Squad, whose post is at Thirty-fourth street and First avenue, took a well-dressed woman into an Italian barber shop at 401 East Thirty-fourth street."

"According to the testimony of the two barbers who were in the shop and of Weitzel himself, the woman was slightly under the influence of liquor. At that time while he was on duty, he directed her to the barber shop, at her request, for the purpose of obtaining a massage, and that when he entered the shop he saw the woman being assaulted by two men. Both barbers, however, testified to the fact that the officer himself brought the woman in. Their testimony was corroborated by Amato, Agio, a bootblack, whose stand is in front of the barber shop."

"It appears that upon entering the shop Weitzel and the woman went into a little furnished room in the back of the barber shop. After being in the back room two or three minutes the officer asked the barber, John Moretto, to go and get him a bottle of whiskey. He then returned with the bottle and shortly after Weitzel had left the room, the woman was assaulted by two men. After the testimony of both barbers that about fifteen minutes before 2 o'clock and shortly after Weitzel had left the room, the woman was assaulted by two men. After the testimony of both barbers that about fifteen minutes before 2 o'clock and shortly after Weitzel had left the room, the woman was assaulted by two men."

"Grove denied all knowledge of the affair. The very positive testimony of Moretto and Moretto, however, makes the truth of his statement extremely doubtful. Indeed, he strongly held the impression that Officer Grove perjured himself in his testimony before me."

"As far as Officers Weitzel and Grove are concerned, I have no question as to the necessity for immediate action by the Police Commissioner."

"As soon as Mr. Baker got the letter from Mayor Gaynor he went to the City Hall and was closeted with the Mayor. When he came out of the conference he said:

"I have been talking over police matters with the Mayor, and he is saying that I can tell you. He said, however, that the men had been suspended, but would not be placed on trial until some time next week, because it would take some time to get the evidence together. He said that they would have two days in which to make their answer."

Commissioner Baker will not be before the Mayor this morning, but he is on a vacation for a week or ten days, because he had little or no vacation last summer. He asked the Mayor to let him off several days before the present police case was brought to the Mayor's attention.

## RELUCTANT COMPLAINT.

Police Give Him Uneventful Opportunities to Make Good His Charge.

James J. Hughes, a stevedore, 26 years old, of 232 Degra street, appeared shortly after 2 o'clock yesterday morning at the Hamilton avenue police station in Brooklyn with a cut lip and a bruised nose. He told Lieut. Reiff that he got off a croquet car near the police station at the same time that a woman passenger alighted, that the woman spoke to a group of policemen on the sidewalk and that one of the cops came up and hit him with his fist.

The lieutenant told Hughes to be at the station when the platoons were changed in the morning and try to pick out his assailant. Hughes did not appear. Acting Captain McElroy sent for Hughes, and the latter seemed to slip saying that he didn't want to press his complaint. By order of Inspector Dillon McElroy took Hughes to headquarters, where he told about the same story. Hughes was then taken to the police station. In the evening Hughes went to the station and saw the policemen, but did not identify any one of them as his assailant.

Neighbors of Hughes said last night that he had admitted that he got his hurts in a barroom in Amity street.

The case is likely to be turned over to the District Attorney.

## THEATRE COP LOCKED UP.

Man Who Was Thumped Says He Was the Wrong Person.

Louis Levine, a special policeman attached to the Liberty Theatre, at Liberty and Stone avenues, Brooklyn, was arrested last night and locked up in the Broadway station charged with assaulting Max Applebaum of 617 Sackman street.

Applebaum says that Levine ran out of the theatre in pursuit of some rowdy men who had been making a disturbance inside and, mistaking Applebaum for one of them, struck him in the face and knocked him down. The latter retaliated and both men were charged with assault against each other at the station house. Applebaum was allowed to go.

## KILLED IN THEATRE ELEVATOR.

Girl Tried to Run It and Jumped When She Lost Control.

Reba Melvin, 15 years old, who lived at 2492 Eighth avenue, was instantly killed in an elevator in the Alhambra Theatre, at 126th street and Seventh avenue, yesterday afternoon.

Miss Melvin, with Alice Millman of 2474 Eighth avenue, Helen Lindar of 110 West 143d street, Martha Toole of 301 West 138th street and Olinia Mayo of 312 West 143d street, was playing near the stage entrance to the theatre, at 200 West 126th street. There is an elevator in this entrance, and during the time that the girls were playing there William Menita, the elevator boy, was inside the theatre. Reba Melvin dared the other girls to get on the elevator with her and take a ride. The girls declined, and she got on by herself and started the elevator. It ran to the roof, six floors up, where it hit a beam and started down again. The girl became frightened when she found she could not stop the elevator and tried to jump off at the fifth floor.

She missed the landing, and her body was caught between the elevator and the side wall. Her head struck the wall and was crushed between it and the elevator.

It was necessary to chop away the side of the elevator before the girl's body could be released.

William Menita was arrested and locked up in the West 125th street station house charged with criminal negligence.

## CALLED TO DEFEND HIS GUEST.

Lawyer Surprised When Woman Visiting Him Is Accused of Shoplifting.

A young woman who gave the name of Martha Martin was arrested in a Broadway department store yesterday charged with taking goods valued at \$7.13. When she was arraigned in the Jefferson Market court Albert S. Oglesby, a lawyer of 49 Chambers street, appeared in her behalf and at his request Magistrate Cornell paroled Miss Martin until this morning.

She will waive examination and give \$500 bail for her appearance in Special Sessions.

"I am sure a mistake has been made," Mr. Oglesby told the Court. "This young lady has been a visitor at my home in Tuckahoe for some little time and came down to the city with me this morning. I was dumfounded when I received a telephone message to the effect that she had been arrested. Of course I am not familiar as yet with the facts of the case, and your Honor will appreciate the delicacy of my situation, but I cannot imagine that the charge is true."

Magistrate Cornell remarked that as a rule the cases against shoplifters are very strong, and while he was willing to parole Miss Martin till this morning in order to give bail he would be obliged to ask for a \$500 bond at that time.

## PERHAPS HE DIDN'T REFORM.

Paroled Prisoner Carried a Revolver When He Went to Report.

Serg. Grant Williams of the East Twenty-second street station house is detailed to the New York State Prison Association headquarters at 135 East Fifteenth street. Last evening he was sitting there alone when James Farrell, who says he is living at 214 East Thirty-sixth street, came in to make his regular report. Farrell was carrying a revolver, which he showed to the sergeant.

"How are you getting along?" asked the sergeant.

"I'm working as a bricklayer and I've saved up \$18 since I've been out," Farrell was the confident response.

The sergeant happened to have made some remarks concerning him, his lawyer, and he knew that this was not exactly true, so he walked out from behind the desk. As he approached Farrell he noticed that the latter was reaching for his back pocket. He pinched Farrell against the wall and after a struggle took from him a loaded revolver. A gold watch, a lady's gold string necklace, a diamond bracelet, collar and cuff buttons, gold and other trinkets were found in Farrell's pockets.

Farrell was locked up in the West Twenty-second street station house on a charge of carrying concealed weapons.

## HELD AS WIFE POISONER.

Coroner's Jury Accuses Maurice Lustig of Murder.

An inquest jury in Coroner Feinberg's court yesterday afternoon found that Reba Melvin died on October 25 last from strychnine poison, probably administered by her husband, Maurice Lustig. Lustig was sent to the Tombs to await the action of the Grand Jury.

Samuel Finegold, a clerk in a drug store at 116th street and Madison avenue, testified that Lustig tried to get strychnine from him five or six days before Mrs. Lustig died. Two days later, he said, Lustig came to the drug store and bought a bottle of strychnine and asked for some. The witness said that Lustig when told to get a prescription replied that it was too late, as his wife was dead, but he wanted it for his sick wife. Later in the day a bottle of strychnine tablets was missing and could not be accounted for.

A deputy superintendent of the Metropolitan Life Insurance Company testified to the issuance of a policy of \$500 on the woman's life in which Lustig was beneficiary. Policies amounting to \$3,000 were issued by the company and other agents were not put on the stand.

Lustig formerly conducted a detective agency in Harlem. He lived at 14 East 116th street.

## COMMUTER LOSES SUIT.

Ticket Didn't Permit Stopover Even to See Col. Roosevelt Off.

Judge William H. Spear of the Hudson County Circuit Court, Jersey City, handed down a decision yesterday in the suit brought by Frederick N. Le Baron of East Orange against the Delaware, Lackawanna and Western Railroad and the Hoboken Ferry Company.

Mr. Le Baron started for New York on March 23, 1909, via the Lackawanna on his monthly commutation ticket and stopped off at Hoboken to see Col. Roosevelt. He later presented his ticket at the ferry house and declared that it entitled him to a passage across the river. Gatemen disputed his contention, and he was arrested and held in the ferry house. Judge Spear held that when the plaintiff interrupted his passage and stopped over he was not entitled to across the ferry on the commutation ticket and consequently the defendant was entitled to resist his passage and is not responsible for the assault.

## Mayor to Have an Assistant Secretary.

Mayor Gaynor Will Ask the Board of Estimate to-day to Fix the Salary of William B. Meloney, his new executive secretary, at \$4,000 a year. This is a \$2,000 reduction. At the same time the Mayor will ask that the post of executive clerk be abolished. The salary paid to the present holder of this job is \$1,500 a year, and in place of it Mayor Gaynor has offered to give \$3,000 a year to Philip Kohler, who was secretary to Mayor Gaynor in the campaign, will be appointed to this new office.

## EASY come, easy go!

Most any road brings your client right to the Marbridge.

Offices to let.

## The MARBRIDGE

Broadway, 34th &amp; 35th Streets.

Representative on premises.

Or your own broker.

## AMERICANS IN FLORENCE.

Oliver D. Grover Talks of the Painter's Life in Italy.

Oliver Dennett Grover, an American portrait and landscape painter who has made his home in Florence for three years, arrived from Europe yesterday and is at the Hotel Wolcott for a few days on his way to Chicago.

"I have been more or less identified with Florence for the last twenty-five years," said Mr. Grover, "though I do a great deal of work in Venice. I have seen a great many changes in the American colony there. One of the greatest losses recently has been that of George De Forest Brush, who has come back to live in Dublin, N. H. Then Rolshoven, the portrait painter, is in New York now, after having painted the daughters of Lord Cobham in England. William M. Chase has come to be a summer member of the colony during the last few years."

"American students come and go. We used to have a school there, but it was gradually dropped. The local Italian classes are not thought well of."

"One of the most important things that has happened in Florence recently is the putting of steam heat in the Uffizi and Pitti galleries. Now it is possible to go to them in winter. Such a visit used to mean sure pneumonia. On yes, some of us are introducing steam heat and hot water into private residences and it makes an old villa or palace a lot more endurable as a place of residence."

"When I first went to Florence it was with the old so-called American school. Frank Duveneck was the head of it, and we moved from Munich. Joe De Camp of Boston was in it, and so was John W. Alexander. Ross Turner, who is now in New York, was also in it. Trachtman, who died a couple of years ago."

"This has been rather a lively winter in Florence, and it has been good fun. The authorities of the city have made a great task in taking care of and preserving the old paintings—sometimes restoring them, as they called it. Well, a lot of the artists thought that by the method of restoration employed many valuable paintings had been ruined. There was an active campaign, with mass meetings of the Italian artists, and the latter succeeded in having some of the restorers' sent away."

"They have recently added many portraits of prominent artists by themselves to the Uffizi, Sargent and Chas. Easton sent in their own portraits by invitation. There are now several hundred of these portraits, the subjects being most of the great artists of the past."

"Florence is more of a place in which to work quietly and to find one's self than an active place. I regard it as my studio and a place where one can paint and be quiet. One cannot see here and hear a great deal of what goes on. The coterie it gets together makes its own life. There are more Americans there than there are in any other place. I have met English, American and Russian colony—it is all one and the individuals single—contains about 3,000. At a guess I should say that there are about 10,000 Americans in the remainder two-thirds are American. Of the last there are many who have left active business or professional life and are interested in literature, art or music and love living in the Italian way. There are few young people among them."

## SEAN DEE, LIVINGSTON DEAD.

Had Lived for 54 Years in a House on Lower Fifth Avenue.

Susan de Peyster, widow of Robert Edward Livingston, died at her home at 271 Fifth avenue yesterday. Mrs. Livingston was born in this city on April 11, 1823 and since her marriage fifty-four years ago she had always lived in the house in which she died. She was the daughter of Frederick F. de Peyster. She was married at 271 Fifth avenue, then the home of her aunt, Mrs. Jonathan Goodhue. When Mrs. Goodhue died she left her home to Mrs. Livingston. When stores began to invade the lower part of Fifth avenue Mrs. Livingston clung to the old home and said that she would never leave it. Before her marriage she lived in a house at Pearl and Whitehall streets in the days when society used to parade on Sundays after service at Trinity along the Battery Park wall.

Mrs. Livingston spent her summers in the Whitehall estate. Before her marriage she was then in the country and part of the Livingston estate.

She is survived by Catherine G. Livingston, a daughter, and Edward de Peyster, her son. She was 86 years old.

Robert Edward Livingston died on January 20, 1889.

## Obituary Notes.

Capt. Alexander Sharp, U.S.N., president of the board of inspection for the stationery at the Naval Medical School Hospital died yesterday morning of a complication of diseases, including typhoid fever. He was 53 years old.

Robert Edward Livingston died on January 20, 1889.

Capt. Sharp was born in White Haven, Mo., and entered the service as a midshipman in the U.S.N. He was promoted to ensign on July 1, 1870; to lieutenant on July 1, 1872; to lieutenant junior grade on April 1, 1874; to lieutenant on March 1, 1876; to lieutenant commander on March 1, 1878; to commander on March 1, 1880; to captain on March 1, 1882; to major on March 1, 1884; to lieutenant colonel on March 1, 1886; to colonel on March 1, 1888; to major general on March 1, 1890; to lieutenant general on March 1, 1892; to full general on March 1, 1894; to lieutenant general on March 1, 1896; to full general on March 1, 1898; to lieutenant general on March 1, 1900; to full general on March 1, 1902; to lieutenant general on March 1, 1904; to full general on March 1, 1906; to lieutenant general on March 1, 1908; to full general on March 1, 1910; to lieutenant general on March 1, 1912; to full general on March 1, 1914; to lieutenant general on March 1, 1916; to full general on March 1, 1918; to lieutenant general on March 1, 1920; to full general on March 1, 1922; to lieutenant general on March 1, 1924; to full general on March 1, 1926; to lieutenant general on March 1, 1928; to full general on March 1, 1930; to lieutenant general on March 1, 1932; to full general on March 1, 1934; to lieutenant general on March 1, 1936; to full general on March 1, 1938; to lieutenant general on March 1, 1940; to full general on March 1, 1942; to lieutenant general on March 1, 1944; to full general on March 1, 1946; to lieutenant general on March 1, 1948; to full general on March 1, 1950; to lieutenant general on March 1, 1952; to full general on March 1, 1954; to lieutenant general on March 1, 1956; to full general on March 1, 1958; to lieutenant general on March 1, 1960; to full general on March 1, 1962; to lieutenant general on March 1, 1964; to full general on March 1, 1966; to lieutenant general on March 1, 1968; to full general on March 1, 1970; to lieutenant general on March 1, 1972; to full general on March 1, 1974; to lieutenant general on March 1, 1976; to full general on March 1, 1978; to lieutenant general on March 1, 1980; to full general on March 1, 1982; to lieutenant general on March 1, 1984; to full general on March 1, 1986; to lieutenant general on March 1, 1988; to full general on March 1, 1990; to lieutenant general on March 1, 1992; to full general on March 1, 1994; to lieutenant general on March 1, 1996; to full general on March 1, 1998; to lieutenant general on March 1, 2000; to full general on March 1, 2002; to lieutenant general on March 1, 2004; to full general on March 1, 2006; to lieutenant general on March 1, 2008; to full general on March 1, 2010; to lieutenant general on March 1, 2012; to full general on March 1, 2014; to lieutenant general on March 1, 2016; to full general on March 1, 2018; to lieutenant general on March 1, 2020; to full general on March 1, 2022; to lieutenant general on March 1, 2024; to full general on March 1, 2026; to lieutenant general on March 1, 2028; to full general on March 1, 2030; to lieutenant general on March 1, 2032; to full general on March 1, 2034; to lieutenant general on March 1, 2036; to full general on March 1, 2038; to lieutenant general on March 1, 2040; to full general on March 1, 2042; to lieutenant general on March 1, 2044; to full general on March 1, 2046; to lieutenant general on March 1, 2048; to full